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INDEPENDENT REGULATORY
REVIEW COMMISSION



Randolph Pankiewicz
Environmental Compliance Manager

March 12, 2008

Environmental Quality Board
Rachael Carson State Office Building
16th Floor
400 Market Street
Harrisburg, PA 17101-2301

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ENVIRONMENTAL QUALITY BOARD

To Whom It May Concern,

Pennsylvania American Water Company wishes to make the comments, found on the attached document, to the proposed regulations regarding Diesel Vehicle Idling and Auxiliary Power Systems. Please contact me if you have any questions regarding these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Pankiewicz".

Randolph Pankiewicz

Attachment

Cc: Deborah Lippert
Mike Salvo
Paul Zielinski

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Proposed Rulemaking

Environmental Quality Board 25 PA. Code Chs. 121 and 126 Diesel Vehicle Idling; and Auxiliary Power Systems

Pennsylvania American Water Company (PAWC) is a privately owned water utility providing drinking water to customers throughout Pennsylvania. Providing service to our customers involves the repair and maintenance of the distribution system piping. In order to do so our worksites are often on public streets or highways where traffic control is necessary. The vehicles that we use are often equipped with equipment (compressors, directional signals, warning lights, etc.) that requires the vehicle to be running to operate.

The water treatment facilities we operate receive shipments via trucks that are off-loaded at these sites. These trucks also may need to be idling in order to operate equipment necessary to off-load materials.

The proposed regulations regarding Diesel Vehicle Idling and Auxiliary Power Systems, contained in 25 PA.Code Chapters 121 and 126 (Subchapters F and G) outline the times that vehicles will be allowed to idle for greater than 5 minutes in a 60-minute period.

PAWC would like to comment on the following allowed exemption:

§ 126.612 Exemptions

- (a) (5) (ii) An official traffic control device or signal.

Comment: PAWC vehicles are often used to control traffic or provide warning signals to traffic in order to provide a safe work area for the employees and the public. The definition of an official traffic control device or signal found in Chapter 212 does not include warning lights, flashing arrow panels or steady burn electric lamps. PAWC feels that these and other types of traffic control equipment should be included, since they are utilized at our work sites.

PAWC would like to comment on Applicability

§ 126.601. Applicability.

This subchapter applies to owners and operators of diesel-powered commercial motor vehicles and owners and operators of locations at which diesel-powered commercial vehicles load, unload or park.

Comment: PAWC owns the water treatment plants and other facilities at which we receive deliveries of various materials needed for our operations. We do not however own the vehicles which come on to our properties. PAWC does not feel that we would have the authority to control how these vehicles are operated. The companies that own these vehicles will have to comply with these regulations when they become effective and the regulations do not give us enforcement authority.